

Notice of Allowability

Application No.

10/085,300

Examiner

El Hadji M. Sall

Applicant(s)

HOLDSWORTH ET AL.

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/28/06.
2. ☒ The allowed claim(s) is/are 1,3,5-10,12,14-18 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ARIO ETIENNE

SUPERVISORY PATENT EXAMINER
BIOLOGY CENTER 2100

DETAILED ACTION

1. This action is responsive to the appeal brief filed on November 28, 2006. Claims 2, 4, 11, 13 and 19 are cancelled. Claims 3 and 12 are amended. Claims 1, 3, 5-10, 12, 14-18 and 20 are pending. Claims 1-3, 5-10, 12, 14-18 and 20 represent method and system for preserving message order when parallel processing messages.

2.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given over a telephone conversation by Scott D. Paul (42,725), the attorney in record.

Claims 2 and 11 are cancelled. Their limitations are added to claims 1 and 10, respectively.

Claims 1 and 10 are amended.

In claim 1, please delete "." in line 9 and insert "; and retaining a list of all markers of messages that are being processed in parallel; determining whether the

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marker of a new message is present in the list; and delaying initiating parallel processing of the new message until the marker is no longer in the list.”

In claim 10, please delete “.” In line 9 and insert “; and means for accessing a list of all markers of messages that are being processed in parallel; means for determining whether the marker of a new message is present in the list; and means for delaying initiating parallel processing of the new message until the marker is no longer in the list.”

Claims 3 and 12 are amended.

On claim 3, line 1, “the method of claim 2” is changed to “the method of claim 1”.

On claim 12, line 1, “the system of claim 11” is changed to “the system of claim 10”.

Claim 19 is cancelled.

3. Allowable Subject Matter

4. Claims 1, 3, 5-10, 12, 14-18 and 20 are allowed.

5. Pursuant to 37 C.F.R. 1.109 and M.P.E.P. 1302.14, the following is an Examiner's Statement of Reasons for Allowance:

The prior art of record fails to teach or suggest individually or in combination the claimed limitations of "using the marker to identify the source of the message and determining whether it is required to preserve the message order; and dispatching each message in accordance with its marker to one of a plurality of parallel processing threads such that processing order is preserved when required for messages processed through the plurality of parallel processing threads, wherein a predetermined value of the marker indicates that ordering is not required; and wherein the step of dispatching comprises: retaining a list of all markers of messages that are being processed in parallel; determining whether the marker of a new message is present in the list; and delaying initiating parallel processing of the new message until the marker is no longer in the list" as in claims 1 and 10.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

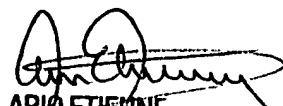
6.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to El Hadji Sall whose telephone number is (571)272-4010. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

El Hadji Sall
Patent Examiner
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